

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**U.S. COMMODITY FUTURES TRADING  
COMMISSION,**

**Plaintiff,**

**v.**

**NO. 3:13-CV-196**

**JAMES HARVEY MASON,**

**Defendant, and**

**THE JHM FOREX ONLY POOL (f/k/a  
THE JHM FOREX ONLY POOL, LP), and  
FOREX TRADING AT HOME,**

**Relief Defendants.**

**ORDER GRANTING RECEIVER’S MOTION FOR APPROVAL OF OFFER TO  
PURCHASE AND CONTRACT AS TO REAL PROPERTY AND FOR AUTHORITY  
TO CONSUMMATE SALE OF REAL PROPERTY - 2222 HICKORY RUN, GRAHAM,  
NORTH CAROLINA**

**THIS MATTER** was heard on the *Receiver’s Motion For Approval of Offer to Purchase and Contract as to Real Property and for Authority To Consummate Sale of Real Property – 2222 Hickory Run, Graham, North Carolina* (the “Motion”) (Doc. No. 56) filed on January 7, 2014 concerning the sale of condominium unit No. 9 of Hickory Run Condominiums along with a 5.3 percentage undivided interest as tenant in common and as appurtenant to unit No. 9 in all “Common Areas and Facilities” located in Graham, Alamance County, North Carolina, PIN number 8893406581 and also known as 2222 Hickory Run (the “Real Property”). The Court finds that it has jurisdiction over this matter, notice was proper, and no objections have been filed to the relief requested. The Court has reviewed the Motion and concludes that the relief requested in the motion should be **GRANTED**.

It is **THEREFORE ORDERED** as follows:

- (a) The Court hereby appoints McNairy & Associates, LLC, Lynda Allred Realty and Heritage Real Estate as the three disinterested appraisers for purposes of a sale of the Real Property pursuant to 28 U.S.C. § 2001(b);
- (b) The Court finds and holds that the requirements of 28 U.S.C. § 2001, 2002 have been met;
- (c) The Court hereby approves the Receiver's acceptance of the Contract;
- (d) The Court authorizes the Receiver to carry out a closing to sell the Real Property pursuant to the terms of the Contract without further order of the Court including executing necessary documentation customary in real estate closings of this type such as deeds in the name of James H. Mason Trustee of the JHM Trust U/W/A Dated July 18, 2008, lien waivers, 1099 forms and other similar documents; and
- (e) The Court authorizes the Receiver to deposit the net proceeds from the sale of Real Property into the Receivership bank account.

**SO ORDERED.**

Signed: January 23, 2014



Graham C. Mullen  
United States District Judge

